
City of Reading City Council

Regular Meeting

October 8, 2007

A regular meeting of City Council was held on the above date for the transaction of general business.

Vaughn D. Spencer, President of Council, called the meeting to order.

The invocation was given by Rev. Sandra Fees of the Unitarian Universalist Church.

All present pledged to the flag.

ATTENDANCE

Council President Spencer
Councilor Fuhs, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Sterner, District 3
Councilor Marmarou, District 4
Councilor Baez, District 5
Councilor Waltman, District 6

Mayor T. McMahon
City Auditor D. Cituk
Legal Specialist M. Mayfield
City Clerk L. Kelleher
Public Works Director C. Jones
Finance Director R. Hottenstein

PROCLAMATIONS AND PRESENTATIONS

The following proclamations and commendations were presented:

City Council issued commendations recognizing exemplary scholastic and athletic performance of students attending Reading High School and Holy Name High School.

A Mayoral Proclamation was issued recognizing the Reading and Berks County Alzheimer Association.

PUBLIC COMMENT

Council President Spencer announced that two citizens were registered to address Council on non-agenda matters. He asked Council to signify if they objected to suspending the speaking rules to allow the public comment on non-agenda matters at this point in the meeting. As no one objected the public speaking rules were suspended.

Diane Pagan, of S. 12th Street, was not present.

Mary Ann Ciarlone, of Douglass Street, described her situation concerning abuse of authority with a complaint filed with HUD and the Reading Human Relations Commission. She questioned local procedures in place to prevent individuals from filing false charges.

APPROVAL OF AGENDA AND MINUTES

Council President Spencer called Council's attention to the minutes from the September 24, 2007 regular meeting of Council and the agenda for this meeting including the legislation listed under the consent agenda heading.

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to approve the minutes from the September 24, 2007 regular meeting of Council and adopt the agenda for this meeting, including the items listed under the consent agenda heading. The motion was approved unanimously.

CONSENT AGENDA

Resolution 128-2007 - authorizing the Mayor to file an application for RACP funds in the amount of \$1,000,000.00 for the Amphitheater Park Project of RiverPlace Development Corporation. ***Tabled & referred to Committee at the 9-24 Regular Meeting***

Resolution- approving a sewage plan module for the Our City Reading RC Theaters project. **(Public Works)**

Resolution- approving a sewage plan module for United Corestacks Evergreen Community Power. **(Public Works)**

Award of Contract- for guaranteed energy savings to Honeywell International, Inc., 1145 Highway 315, Wilkes-Barre, PA 18702.

ADMINISTRATIVE REPORT

Mayor McMahon reviewed the report distributed to Council at the meeting covering the following:

- 25% reduction in crime for the first nine months of 2007
- recap of the VIN etching program that occurred on Saturday, September 29
- \$5,000 contribution from CNA for restoration of the City's K-9 unit
- Update on Citizen Codes Training Program
- Update on Skate America

Councilor Sterner congratulated the Reading Police Department for working to improve the crime stats. He also congratulated Deb Hoag, Environmental Division Manager, and Joe Ayala, EEOC Officer.

Councilor Marmarou questioned the meeting place where the new community group listed for the 13th and Linden St. area. Mayor McMahon stated that he would provide that information at the weekly meeting with the Mayor.

Councilor Goodman-Hinnershitz congratulated the Police Department for their aggressive attack on crime and presence in District 2.

AUDITOR'S REPORT

City Auditor Dave Cituk read the report distributed to Council at the meeting covering the following:

- Municipal Sewage Calculation
- Public Utility Realty Tax

Councilor Marmarou inquired if the State pension contribution covers all three programs. City Auditor Cituk stated that the contribution is divided between the three pension funds. He stated that the amount contributed to each will be available later this week.

Councilor Marmarou noted the \$500,000 shortfall. He questioned if the City's pension funds have had a recent actuarial report. He also expressed the belief that the pension rates for older retirees who earn considerably less than those retiring under current terms need to be increased.

ORDINANCES FOR FINAL PASSAGE

Bill No. 73-2007 - execute a certain "Consent and Joinder" to join in an amended petition to terminate the Clinton F. Earl Trust (**Solicitor**)
Introduced at the 9-24 Regular Meeting

Councilor Sterner moved, seconded by Councilor Marmarou, to table Bill 73-2007.

Bill 73-2007 was tabled by the following vote:

Yea: Baez, Fuhs, Marmarou, Sterner, Spencer President – 5.

Nay: Goodman-Hinnershitz, Waltman – 2.

Bill No. 74-2007 - Authorization for the Mayor to execute any and all documents required to convey certain premises situate in the vicinity of eastern side of N. Third Street (between N. Third and N. Fourth Streets) and North of Buttonwood Street (between Buttonwood and Green Streets) in the City of Reading, Berks County, PA, from the City of Reading to the Reading Redevelopment Authority *Introduced at the 9-24 Regular Meeting*

Councilor Fuhs moved, seconded by Councilor Sterner, to enact Bill 74-2007.

Council President Spencer provided some background information about the conveyance of this property to the Reading Redevelopment Authority.

Bill 74-2007 was enacted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President – 7.

Nay: None – 0.

INTRODUCTION OF NEW ORDINANCES

Council President Spencer read the following Ordinances into the record:

Ordinance – amending the Codified Ordinances by adding language pertaining to Commercial Loading Zones to the Codified Ordinances – Motor Vehicles and Traffic, Chapter 15, Section 412 (**Parking Authority-Council Staff**)

Ordinance – amending the Property Maintenance Code by replacing the existing fine schedule with a new sliding fine schedule and making the corresponding adjustments to the City of Reading Fee Schedule
(Solicitor)

RESOLUTIONS

Resolution 137-2007 – rendering a decision on the Conditional Use Application for the conversion of 1217 Moss Street

Councilor Goodman-Hinnershitz moved, seconded by Councilor Baez, to approve the conditional use application for 1217 Moss St.

The motion to adopt Resolution 137-2007 was NOT adopted by the following vote:

Yea: Baez, Goodman-Hinnershitz, Spencer President – 3.

Nay: Fuhs, Marmarou, Sterner, Waltman – 4.

Resolution 138-2007 – rendering a decision for the expansion of bar/nightclub operations to the second floor at the Rancho Merengue located at 101 South 10th Street.

Councilor Fuhs moved, seconded by Councilor Marmarou, to deny the conditional application for 101 S 10th Street.

The motion to deny the conditional use application for 101 S 10th St was adopted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President – 7.

Nay: None – 0.

Resolution 139-2007 - to deny the application for a certificate of appropriateness for the installation of stone and mortar over the original brick façade at 611 South 6th Street (Council Staff/HARB)

Councilor Sterner moved, seconded by Councilor Waltman, to deny the certificate of appropriateness for façade improvements at 611 S 6th St.

Resolution 139-2007 was adopted by the following vote:

Yea: Baez, Marmarou, Sterner, Waltman, Spencer President – 5.

Nay: Fuhs, Goodman-Hinnershitz – 2.

Resolution 140-2007 - authorizing the execution of documents to terminate 5 of the existing Swaps contracts. **(Finance Dir-Managing Dir)**

Councilor Waltman moved, seconded by Councilor Fuhs, to adopt Resolution 140-2007.

Resolution 140-2007 was adopted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman – 6.

Nay: Spencer President – 1.

Resolution 141-2007 - reprogramming and additional \$49,623 in unprogrammed ESG funds for operational costs to the existing ESG agreement **(Community Development)**

Councilor Fuhs moved, seconded by Councilor Marmarou, to table Resolution 141-2007.

Resolution 141-2007 was tabled by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President – 7.

Nay: None – 0.

Resolution 142-2007 - reappointing Joe Webb to the Board of Health **(Administrative Oversight)**

Resolution 143-2007 - reappointing Ed Palka to the Planning Commission **(Administrative Oversight)**

Resolution 144-2007 - reappointing Michael Fiucci to the Civic Center Authority **(Administrative Oversight)**

Resolution 145-2007 - reappointing Vicki Krall to the Legislative Aide Committee (**Administrative Oversight**)

Councilor Waltman moved, seconded by Councilor Marmarou, to adopt Resolutions 142-2007, 143-2007, 144-2007 and 145-2007.

Councilor Marmarou noted the skill and commitment of those being appointed to the various boards, authorities and commissions this evening.

Councilor Goodman-Hinnershitz noted the utmost commitment from those who served on the City's boards, authorities and commissions for a multitude of years.

Resolutions 142-2007, 143-2007, 144-2007 and 145-2007 were adopted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Spencer President – 7.

Nay: None – 0.

Resolution 146-2007 - reappointing John Slifko to the Charter Board (**Administrative Oversight**)

Councilor Fuhs moved, seconded by Councilor Marmarou, to table Resolution 146-2007.

Resolution 146-2007 was tabled by the following vote:

Yea: Fuhs, Marmarou, Sterner, Spencer President – 4.

Nay: Baez, Goodman-Hinnershitz, Waltman – 3.

COUNCIL COMMENT

Councilor Marmarou noted the upcoming meeting of the College Heights Community Council on Sunday, October 14 at 7 pm at Albright College south lounge. He invited all citizens to attend this candidate's debate. He also noted the upcoming Greek Bazaar scheduled for October 19 – 21 at Sts. Constantine and Helen Church.

Councilor Goodman-Hinnershitz noted the upcoming District 2 community meetings. She also noted the Pendora Halloween night scheduled at the Pendora Park Fieldhouse. She thanked the Reading

Police Department for keeping lines of communications with District 2 community groups open.

Councilor Goodman-Hinnershitz also thanked the owner of the A Plus on Perkiomen Ave for his proactive assistance.

Council President Spencer reviewed the upcoming meeting schedule.

Councilor Marmarou moved, seconded by Councilor Waltman, to adjourn the regular meeting of Council.

Linda Kelleher
City Clerk